

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKDLJ MORTGAGE CAPITAL, INC. and  
CREDIT SUISSE FIRST BOSTON  
MORTGAGE CAPITAL, LLC,

Plaintiffs,

- VS -

ACT LENDING CORPORATION d/b/a  
AMERICAN CAPITAL MORTGAGE  
SERVICES, AMERICAN CAPITAL  
TRUST, and NELSON HAWS,

Defendants.

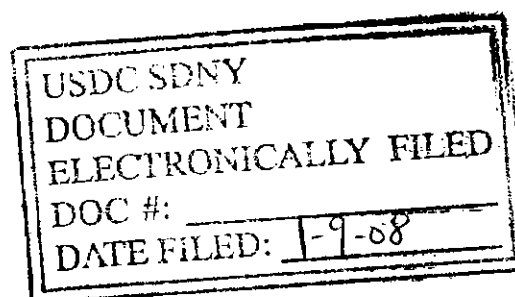
Case No. 07-CV-10318 (JFK)

ORDER TO SHOW CAUSE TO  
ISSUE DEFAULT JUDGMENT

JAN - 2 2008

PLEASE TAKE NOTICE that upon the annexed affidavit of Robert A. Pinel, Esq. sworn to the 28<sup>th</sup> day of December, 2007, and upon the copy of the exhibits attached thereto, and upon all prior pleadings and proceedings in this matter, it is

ORDERED, that the above named defendant show cause before a motion term of this Court, at Room 200, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on January 23, 2008, at 10<sup>15</sup> o'clock in the fore noon thereof, or as soon thereafter as counsel may be heard, why an order pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and Rule 55.2(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York should not be issued entering default and default judgment against Defendants as to liability in the form of the Default Judgment attached hereto for failing to appear and defend as required by the Rules of Civil Procedure; and it is further



ORDERED, that at such date, place and time, a date, an inquest into damages be referred to United States Magistrate Thomas H. Katz; and it is further

ORDERED that personal service of a copy of this order, the proposed Default Judgment, and annexed affidavit upon the defendant or his counsel on or before

5 o'clock in the ~~after~~ after noon, January 17, 2008, shall be deemed good and sufficient service thereof.

DATED: New York, New York 1/8/08

ISSUED: 515 P M

John F. Keenan  
United States District Judge

[Signature]